

approval under Sections 110 and 172 within the terms of the January 27, 1981 rification.

#### List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(42 U.S.C. 7401-7642)

Date: April 20, 1983.

Stanley L. Laskowski,  
Acting Regional Administrator.

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#### 40 CFR Part 180

[PP 2F2727/P296 PH-FRL 2373-3]

#### Tebuthiuron; Proposed Tolerances

##### Correction

In FR Doc. 83-14611, beginning on page 24396, in the issue of Wednesday, June 1, 1983, in the second column, in the SUPPLEMENTARY INFORMATION paragraph, in the fifteenth line "2yl" should read "2-yl".

BILLING CODE 1505-01-M

#### LEGAL SERVICES CORPORATION

##### CFR Part 1607

#### Proposed Guideline Concerning Recipient Governing Bodies

**AGENCY:** Legal Services Corporation.

**ACTION:** Proposed guideline.

**SUMMARY:** This proposed Guideline answers questions which have arisen as to compliance with the amended 45 CFR Part 1607 concerning composition of recipient Boards. This Guideline will not be a part of the Code of Federal Regulations, but will be the authoritative interpretation of the amended regulation.

**DATE:** Comments must be submitted on or before July 28, 1983.

**ADDRESS:** Comments may be mailed to: Office of General Counsel, Legal Services Corporation, 733 15th Street, NW., Room 620, Washington, D.C. 20005.

**FOR FURTHER INFORMATION CONTACT:** Alan R. Swendiman, General Counsel, (202) 272-4010.

**AUTHORITY:** Pursuant to Sec. 1008(e) Pub. L. 93-355, 88 Stat. 378 (42 U.S.C. Sec. 2996g(e) and Pub. L. 97-377, 96 Stat. 1874, the following Legal Services Guideline is proposed:

#### LSC Guideline 83-1, Interpretation of and Compliance With 45 CFR Part 1607, as Amended, Concerning Recipient Governing Bodies

The Legal Services Corporation's regulation relating to the governing bodies of recipient, 45 CFR Part 1607, requires that 51% of each recipient's governing body be comprised of licensed attorneys appointed by state, county or municipal bar association(s) whose membership includes a majority of attorneys practicing in the service area. Recipients are required to be in compliance with Part 1607 by September 15, 1983; however, any recipient so requesting will be granted an extension until December 15, 1983.

##### Waivers

Section 1607.7(c) permits the President of the Legal Services Corporation to extend the time for compliance with the requirements of this part in the event that compliance by September 15, 1983 would be impossible or unduly burdensome (in addition, the waiver provisions of § 1607.5 still apply to recipients which had a non-attorney majority on their Board as of July 25, 1974). Reasons common to most recipients, such as the need to amend bylaws or shorten the terms of incumbent board members, are not sufficient to justify an extension of time in which to comply. No such extension may run past March 15, 1984.

##### 2. Definition of State, County or Municipal Bar Association

a. To qualify as a State, county or municipal bar association, a bar association must be open to all licensed attorneys within a designated jurisdiction and not be designed to appeal to a segment of the bar on the basis of racial or ethnic characteristics, gender, religion or specialized interest. Parish, borough, judicial circuit or multi-county qualify under this section.

b. Where the service area of a recipient is coextensive with the jurisdiction of a state, county, or municipal bar association, and that association includes among its membership a majority of attorneys licensed in the area served, that bar association shall be offered the opportunity to appoint 51% of the recipient's board members. If no such bar association exists, or if it declines the offer to appoint 51% of the recipient's board members, a combination of state, county and municipal bar associations representing

the majority of attorneys practicing in the recipient's service area, as determined by the recipient, shall appoint 51% of the board members. When a combination of bar associations is utilized, the appointment power shall be distributed by the recipient in reasonable proportion to the membership of each association.

##### 3. Additional Attorney Board Members

Special interest bar associations or other organizations primarily interested in the delivery of legal services to the poor may appoint the additional 9% of the recipient's board members who must be attorneys.

##### 4. Women and Minority Attorneys

Recipients must ensure that the attorney members of their boards of directors reasonably reflect the population of the area served. Precise proportional representation of women and minorities is not required, however, nor is the designation of specific seats on the board for women and/or minority attorneys. The recipient's plan for compliance must contain adequate information to allow the Regional Office to conclude that the appointing bar association(s) will make a reasonable and substantial effort to include women and minorities. If the recipient finds that the appointments made by a bar association or combination of bar associations do not reflect the population of the area served, the recipient shall request a review thereof by the Corporation.

##### 5. Method of Selection

The appropriate state, county or municipal bar association or combination of bar associations have the power to appoint 51% of the recipient's board members. This power may not be restricted by recipients. The appropriate bar association or combination of associations may determine the method or methods by which it will select the board members. The bar association may adopt methods including consultation with and/or receiving nominations from other groups, including client groups. However, no particular method of selection may be required by a recipient.

Dated: June 23, 1983.

Alan R. Swendiman,  
General Counsel.

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